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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10 ERIC DWAYNE VENTRESS,

11                   Plaintiff,

12                   v.

13                   WHATCOM COUNTY JAIL, et al.,

14                   Defendants.

CASE NO. C15-0299JLR

ORDER

15                   The court enters the following order to clarify the status of this matter:

16                   First, the court DENIES Defendants' motion to dismiss Plaintiff's action or in the  
17 alternative to compel discovery (Dkt. # 30) without prejudice. The court STRIKES as  
18 moot Judge Tsuchida's report and recommendation (Dkt. # 36) and Plaintiff's objections  
19 to the report and recommendation (Dkt. # 39).

20                   Second, the court DENIES Plaintiff's motion for default (Dkt. # 40) on the merits.

21                   Third, Defendants' motion for summary judgment (Dkt. # 37) is noted, in

22 accordance with the court's Local Rules, for January 8, 2016. *See* Local Rules W.D.

1 Wash. LCR 7(d)(3). Plaintiff's response, if any, is due on January 4, 2016, and  
2 Defendants' reply, if any, is due on January 8, 2016. *See id.*

3 Dated this 22nd day of December, 2015.

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JAMES L. ROBART  
United States District Judge

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